

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

UNITED STATES OF AMERICA

V.

CHARLES KELLY NASH

§
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§
§

CASE NO. 9:14-CR-17

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Before the court is a report and recommendation of the United States magistrate judge regarding the Defendant's competency for trial. (Docket No. 29.) No objections have been filed.

Having conducted an independent review, the court concludes that the Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. It is therefore

ORDERED that the report and recommendation of the United States magistrate judge on the Defendant's incompetency to stand trial is **ADOPTED**. It is further

ORDERED that Charles Kelly Nash be committed to the custody of the Attorney General for hospitalization for such a reasonable period of time, not to exceed four (4) months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the trial to proceed, in accordance with 18 U.S.C. § 4241(d)(1). It is further

ORDERED that the director of the facility where Nash is hospitalized promptly file a certificate with the clerk of court when he/she determines that the Defendant has recovered to such

an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, pursuant to 18 U.S.C. § 4241(e). It is further

ORDERED that the speedy trial time be excluded from March 3, 2015 until the date of this order.

So **ORDERED** and **SIGNED** this **3** day of **June, 2015**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge